

1,048-101

A/FWC

71634 U.S. PTO



07/14/97

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

DOCKET NUMBER	ANTICIPATED CLASSIFICATION OF THIS APPLICATION:		PRIOR APPLICATION	
	CLASS	SUBCLASS	EXAMINER	ART UNIT
10678.1USF1			Pinchus M. Laufer	2202

## CERTIFICATE UNDER 37 CFR 1.10:

"Express Mail" mailing label number: EM386997500US  
Date of Deposit July 14, 1997

I hereby certify that this paper or fee is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Assistant Commissioner for Patents, Washington, D.C. 20231.

By:   
Name: Darrell Whitaker

## REQUEST FOR FILE WRAPPER CONTINUING APPLICATION UNDER 37 C.F.R. § 1.62

Assistant Commissioner for Patents  
Box FWC  
Washington, DC 20231

Dear Sir:

This is a request for filing a Continuation application under 37 CFR § 1.62 of prior pending patent application Serial No. 08/488,195, filed on June 7, 1995 entitled TRY BEFORE YOU BUY SOFTWARE DISTRIBUTION AND MARKETING SYSTEM by the following inventor(s):

Full Name Of Inventor	Family Name	First Given Name	Second Given Name
	Ronning	Joel	A.
Residence & Citizenship	City	State or Foreign Country	Country of Citizenship
	Edina	Minnesota	USA
Post Office Address	Post Office Address	City	State & Zip Code/Country
	4212 Alden Drive	Edina	MN/55416/USA

The above-identified prior application in which no payment of the issue fee, abandonment of, or termination of proceedings has occurred, is hereby expressly abandoned as of the filing date of this new application. Please use all the contents of the prior application file wrapper, including the drawings, as the basic papers for the new application.

- ☒ Enter the amendment previously filed on April 14, 1997, but unentered, in the prior application.
- ☐ A preliminary amendment is enclosed.

The filing fee is calculated below on the basis of the claims existing in the prior application as amended at 1 and 2 above:

**CLAIMS AS FILED**

NUMBER FILED	NUMBER EXTRA		RATE	FEE
<b>TOTAL CLAIMS:</b> 27 -20	7	x	\$22	\$154.00
<b>INDEPENDENT CLAIMS</b> 5 -3	2	x	\$80	\$160.00
			<b>BASIC FILING FEE:</b>	<b>\$770.00</b>
			<b>TOTAL FILING FEE:</b>	<b>\$1084.00</b>

☐ A Verified Statement that this filing is by a small entity (37 CFR 1.9, 1.27, 1.28) is already filed in the prior application.

☐ A Verified Statement that this filing is by a small entity (37 CFR 1.9, 1.27, 1.28) is attached.

3. ☒ Payment of fees:

☒ Attached is a check in the amount of \$ 1084.00.

☐ Please charge Deposit Account No. 13-2725.

4. ☒ The Commissioner is hereby authorized to charge any additional fees as set forth in 37 CFR §§ 1.16 to 1.18 which may be required by this paper or credit any overpayment to Account No. 13-2725.

5. ☒ Amend the specification by inserting before the first line the sentence:

"This is a Continuation of application Serial No. 08/488,195, filed June 7, 1995.

6. ☐ A new oath or declaration is included since this application is a continuation-in-part which discloses and claims additional matter.

7. ☐ Priority of application Serial No. , filed on in , is claimed under 35 U.S.C. 119.

8. ☐ The certified copy has been filed in prior application Serial No. , filed .

9. ☒ The prior application is assigned of record to Digital River, Inc., 5198 West 76th Street, Edina, Minnesota 55439.

10. ☒ The Power of Attorney in the prior application is to:

Merchant, Gould, Smith, Edell  
Welter & Schmidt, P.A.  
3100 Norwest Center  
90 South Seventh Street  
Minneapolis, MN 55402  
(612/332-5300)

11. ☒ A petition and fee has been filed to extend the term in the prior application until July 14, 1997.  
A copy of the petition for extension of time in the prior application is attached.
12. ☐ The inventor(s) in this application are less than those named in the prior application and it is requested that the following inventors identified above for the prior application be deleted:
13. ☒ Also Enclosed: Communication.
14. ☒ Address all future communications to the **Attention of John P. Sumner** (may only be completed by attorney or agent of record) at the address below.
15. ☒ A return postcard is enclosed.

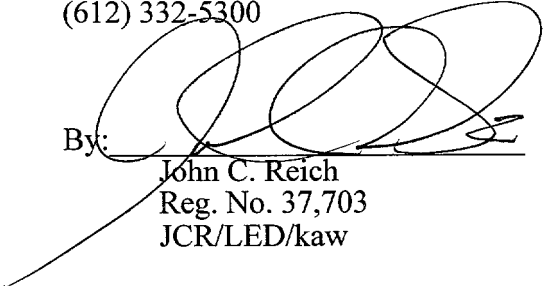
Respectfully submitted,

MERCHANT, GOULD, SMITH, EDELL,  
WELTER & SCHMIDT, P.A.  
3100 Norwest Center  
90 South Seventh Street  
Minneapolis, MN 55402  
(612) 332-5300

Date:

July 14, 1997

By:

  
John C. Reich  
Reg. No. 37,703  
JCR/LED/kaw



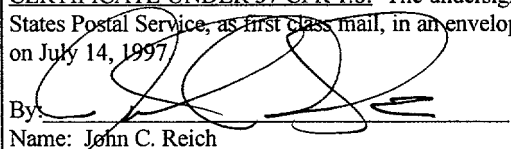
07/14/97

S/N 08/488,195

PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Joel A. Ronning	Examiner:	Pinchus M. Laufer
Serial No.:	08/488,195	Group Art Unit:	2202
Filed:	June 7, 1995	Docket No.:	10678.1US01
Title:	TRY BEFORE YOU BUY SOFTWARE DISTRIBUTION AND MARKETING SYSTEM		

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service, as first class mail, in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on July 14, 1997.

By:   
Name: John C. Reich

PETITION FOR EXTENSION OF TIME

Box AF  
Assistant Commissioner for Patents  
Washington, D.C. 20231

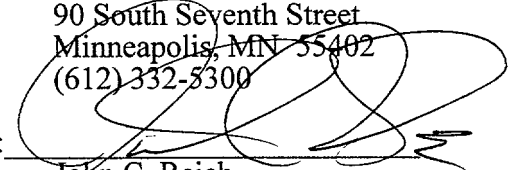
Dear Sir:

In accordance with the provisions of 37 C.F.R. §1.136(a), it is respectfully requested that a three-month extension of time be granted in which to respond to the outstanding Office Action mailed January 14, 1997, said period of response being extended from April 14, 1997 to July 14, 1997. Our check in the amount of \$930.00 is enclosed to cover the required extension fee for a large entity.

Respectfully submitted,

MERCHANT, GOULD, SMITH, EDELL,  
WELTER & SCHMIDT, P.A.  
3100 Norwest Center  
90 South Seventh Street  
Minneapolis, MN 55402  
(612) 332-5300

Date: July 14, 1997

By:   
John C. Reich  
Reg. No. 37,703  
JCR/LED/kaw

S/N UNKNOWN

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Joel A. Ronning Examiner: Pinchus M. Laufer  
Serial No.: Unknown Group Art Unit: 2202  
Filed: concurrently herewith Docket No.: 10678.1USF1  
Title: TRY BEFORE YOU BUY SOFTWARE DISTRIBUTION AND  
MARKETING SYSTEM (File Wrapper Continuation of Serial No.  
08/488,195, filed June 7, 1995)

CERTIFICATE UNDER 37 CFR 1.10:

"Express Mail" mailing label number: EM386997500US  
Date of Deposit: July 14, 1997

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231:

  
Darrell Whitaker

COMMUNICATION

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Applicant is submitting herewith a file wrapper continuing application, along with a copy of the Petition for Extension of Time of the parent application Serial No. 08,488,195. Applicant received a Final Office Action dated January 14, 1997 for U.S. patent application Serial No. 08/488,195. In response to the Final Office Action, Applicant filed, on April 14, 1997, a Proposed Amendment After Final Rejection in accordance with 37 C.F.R. 1.116. Applicant, however, never received a response to the Proposed Amendment After Final Rejection. Therefore, Applicant is submitting herewith a file wrapper continuing application with a request

to enter the Proposed Amendment After Final Rejection that was filed in the application Serial  
No. 08/488,195.

Respectfully submitted,

MERCHANT, GOULD, SMITH, EDELL,  
WELTER & SCHMIDT, P.A.  
3100 Norwest Center  
90 South Seventh Street  
Minneapolis, MN 55402  
(612) 332-5300

Date:

July 14, 1997

By:

John C. Reich  
Reg. No. 37,703  
JCR/LED/kaw

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